

3/16/18

11:04 A.M.

Chapter No. 369

18/SS01/R263

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SENATE BILL NO. 2097

Originated in Senate



Secretary

SENATE BILL NO. 2097

AN ACT TO AMEND SECTION 27-31-53, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONAL PROPERTY THAT IS CONSIGNED OR TRANSFERRED TO A LICENSED FREE PORT WAREHOUSE, PUBLIC OR PRIVATE, WITHIN THE STATE OF MISSISSIPPI, FOR STORAGE PENDING TRANSIT TO NOT MORE THAN ONE OTHER LOCATION IN THIS STATE FOR PRODUCTION OR PROCESSING INTO A COMPONENT OR PART THAT IS THEN TRANSPORTED TO A FINAL DESTINATION OUTSIDE OF THE STATE OF MISSISSIPPI, IS ELIGIBLE FOR EXEMPTION FROM AD VALOREM TAXES; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 27-31-53, Mississippi Code of 1972, is amended as follows:

27-31-53. All personal property in transit through this state which is (a) moving in interstate commerce through or over the territory of the State of Mississippi, (b) which was consigned or transferred to a licensed "free port warehouse," public or private, within the State of Mississippi for storage in transit to a final destination outside the State of Mississippi, whether specified when transportation begins or afterward, * * * (c) manufactured in the State of Mississippi and stored in separate facilities, structures, places or areas maintained by a

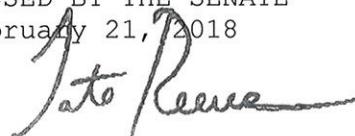
manufacturer, licensed as a free port warehouse, for temporary storage or handling pending transit to a final destination outside the State of Mississippi, or (d) consigned or transferred to a licensed free port warehouse, public or private, within the State of Mississippi, for storage pending transit to not more than one (1) other location in this state for production or processing into a component or part that is then transported to a final destination outside of the State of Mississippi, may, in the discretion of the board of supervisors of the county wherein the warehouse or storage facility is located, and in the discretion of the governing authorities of the municipality wherein the warehouse or storage facility is located, as the case may be, be exempt from all ad valorem taxes imposed by the respective county or municipality and the property exempted therefrom shall not be deemed to have acquired a situs in the State of Mississippi for the purposes of such taxation. Any exemption granted to a licensed "free port warehouse" pursuant to this section shall be effective as of the first calendar day of the taxable year in which the warehouse applied for the exemption by virtue of submitting the application for licensure, and shall remain in effect for such period of time as the respective governing authority may prescribe. Such property shall not be deprived of exemption because while in a warehouse the property is bound, divided, broken in bulk, labeled, relabeled or repackaged. Any

exemption from ad valorem taxes granted before January 1, 2012, is hereby ratified, approved and confirmed.

SECTION 2. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the ad valorem tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the ad valorem tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 3. This act shall take effect and be in force from and after January 1, 2018.

PASSED BY THE SENATE
February 21, 2018




PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
March 7, 2018



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

3/16/18
11:04 am